

FEB. 24. 2006 3:24PM CHOATE HALL &amp; STEWART 6172484000

NO. 311 P. 1

CHOATE

CHOATE HALL &amp; STEWART LLP

CONFIDENTIAL

## Fax

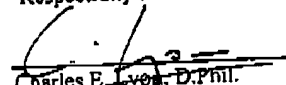
Recipient	Company	Fax	Phone
Mail Stop Missing Parts	USPTO	(571) 273-8300	
From	Charles E. Lyon, D.Phil.	Number of Pages	8 (including this page)
Date	February 24, 2006	Client Number	2003390-0013
Phone	(617) 248-4793	Operator	Time Sent

Comments	Applicant:	MAUCHER <i>et al.</i>	Examiner:	NYA
	Serial No:	10/542,113	Group Art Unit:	NYA
	Filing Date:	July 13, 2005		
	Title:	METHODS AND COMPOSITIONS FOR PRODUCING MALE STERILE PLANTS		

In response to the Notification of Missing Requirements under 35 U.S.C. § 371 in the above-referenced application mailed by the U.S. Patent and Trademark Office on February 9, 2006, enclosed herewith are:

- 1) Transmittal Letter (1 page);
- 2) Response to Notification of Missing Requirements under 35 U.S.C. § 371 (1 page);
- 3) Copy of Notification of Missing Requirements under 35 U.S.C. § 371 (2 pages);
- 4) Executed Declaration by the Inventors (3 pages);
- 5) Credit Card Payment Form in the amount of \$65.00 for surcharge fee (small entity); and
- 6) Facsimile cover sheet (1 page).

Respectfully submitted,

  
Charles E. Lyon, D.Phil.  
Registration Number 56,630

03/01/2006 GFREY1 00000110 10542113

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Two International Place | Boston MA 02110 | t 617-248-5000 | f 617-248-4000 | [choate.com](http://choate.com)

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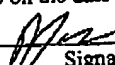
ATTORNEY DOCKET No.:2003390-0013 (Robic 004807-0012)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MAUCHER *et al.*  
Serial No: 10/542,113  
Filing Date: July 13, 2005  
Title: METHODS AND COMPOSITIONS FOR PRODUCING MALE STERILE  
PLANTS

Examiner: NYA  
Group Art Unit: NYA

Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Certificate of Facsimile Transmission Pursuant to 1096 OG 30-31	
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent & Trademark Office (571) 273-8300 on the date indicated below.	
February 24, 2006 Date	 Signature
Mary Wilson Typed or Printed Name of person signing certificate	

Sir:

TRANSMITTAL


In response to the Notification of Missing Requirements under 35 U.S.C. § 371 in the above-referenced application mailed by the U.S. Patent and Trademark Office on February 9, 2006, enclosed herewith are:

- 1) Response to Notification of Missing Requirements under 35 U.S.C. § 371 (1 page);
- 2) Copy of Notification of Missing Requirements under 35 U.S.C. § 371 (2 pages);
- 3) Executed Declaration by the Inventors (3 pages);
- 4) Credit Card Payment Form in the amount of \$65.00 for surcharge fee (*small entity*); and
- 5) Facsimile cover sheet (1 page).

Please charge any fees or credit any overpayments to our Deposit Account No. 03-1721.

Respectfully submitted,

Dated: February 24, 2006

  
Charles E. Lyon, D.Phil.  
Registration Number 56,630

PATENT GROUP  
CHOATE, HALL & STEWART LLP  
Two International Place  
Boston, MA 02110  
Telephone: (617) 248-5000  
Facsimile: (617) 248-4000

ATTORNEY DOCKET No.:2003390-0013 (Robic 004807-0012)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MAUCHER *et al.*  
Serial No: 10/542,113  
Filing Date: July 13, 2005  
Title: METHODS AND COMPOSITIONS FOR PRODUCING MALE STERILE  
PLANTS

Examiner: NYA  
Group Art Unit: NYA

Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Certificate of Facsimile Transmission  
Pursuant to 1096 OG 30-31  
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent & Trademark Office (571) 273-8300 on the date indicated below.  
February 24, 2006  
Date  
Signature  
Typed or Printed Name of person signing certificate

Sir:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. § 371 IN THE  
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

In response to the Notification of Missing Requirements under 35 U.S.C. § 371 in the above-referenced application mailed by the U.S. Patent and Trademark Office on February 9, 2006, enclosed herewith are the documents listed below. The shortened statutory deadline for filing a response is April 9, 2006. Accordingly, Applicant respectfully submits that the filing of this response on February 24, 2006 is timely.

- 1) Response to Notification of Missing Requirements under 35 U.S.C. § 371 (2 pages);
- 2) Copy of Notification of Missing Requirements under 35 U.S.C. § 371 (2 pages);
- 3) Executed Declaration by the Inventors (3 pages);
- 4) Credit Card Payment Form in the amount of \$65.00 for surcharge fee (*small entity*); and
- 5) Facsimile cover sheet (1 page).

It is not believed that any fees are required for filing the present response. However, Please charge any additional fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully submitted,  
CHOATE, HALL & STEWART LLP

Dated: February 24, 2006

Charles E. Lyon, D.Phil.  
Registration Number 56,630

PATENT DEPARTMENT  
CHOATE, HALL & STEWART LLP  
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Boston, Massachusetts 02110  
Tel: (617) 248-5000  
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U.S.S.N. 10/542,113  
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Page 1 of 2

Atty. Docket No.: 2003390-0013  
Client Reference: Robic 004807-0012

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NO. 311 Feb. 5<sup>th</sup>

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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Address: COMMISSIONER FOR PATENTS  
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U.S. APPLICATION NUMBER NO. 10/542,113	FIRST NAMED APPLICANT Helmut Maucher	ATTY. DOCKET NO. 2003390-0013 ✓
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INTERNATIONAL APPLICATION NO. PCT/CA04/00006
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LA. FILING DATE 01/13/2004	PRIORITY DATE 01/13/2003
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Patent Department  
Choate, Hall & Stewart  
Exchange Place  
53 State Street  
Boston, MA 02109

Missing Requirements  
Due Final 4-09-06  
9-09-06

CONFIRMATION NO. 8312

371 FORMALITIES LETTER

\*OC000000018013671\*

Date Mailed: 02/09/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/13/2005
- Copy of the International Search Report filed on 07/13/2005
- Copy of IPE Report filed on 07/13/2005
- Information Disclosure Statements filed on 07/13/2005
- Small Entity Statement filed on 07/13/2005
- Request for Immediate Examination filed on 07/13/2005
- Copy of references cited in ISR filed on 07/13/2005
- U.S. Basic National Fees filed on 07/13/2005
- Priority Documents filed on 07/13/2005
- Specification filed on 07/13/2005
- Claims filed on 07/13/2005
- Abstracts filed on 07/13/2005
- Drawings filed on 07/13/2005

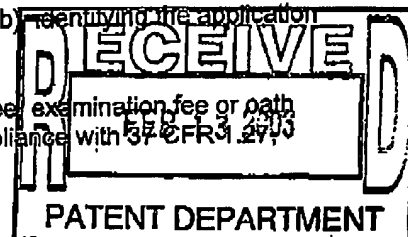
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The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b) certifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.497.



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CHOATE HALL & STEWART 6172484000

NO. 311 <sup>ra</sup>Ep. 6<sup>11</sup> 2

must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/542,113	PCT/CA04/00006	2003390-0013

FORM PCT/DO/EO/905 (371 Formalities Notice)

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